

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

No. 1:18-cv-01776-JRT-HB

In Re Pork Antitrust Litigation
This Document Relates to: All Actions

**MOTION TO DISMISS OF DEFENDANTS SEABOARD FOODS LLC AND
SEABOARD CORPORATION**

Defendants Seaboard Foods LLC and Seaboard Corporation hereby move pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for dismissal of the Third Amended Complaints filed by the Direct Purchaser Plaintiffs (ECF No. 431) and the Commercial and Institutional Indirect Purchaser Plaintiffs (ECF No. 432), and the Second Amended Complaint filed by the Consumer Indirect Purchaser Plaintiffs (ECF No. 392).

This Motion is supported by Seaboard Foods LLC and Seaboard Corporation's Memorandum in Support of Motion to Dismiss, the Declaration of Peter J. Schwingler and accompanying exhibits, and all of the files, records, and proceedings herein, including Defendants' Joint Motion to Dismiss the Federal Law Claims in Plaintiffs' Amended Complaints and Defendants' Joint Motion to Dismiss the State Law Claims in the Commercial and Individual Indirect Purchaser Plaintiffs' Amended Complaints.

Dated: January 15, 2020

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